

SHEPPARD MULLIN RICHTER & HAMPTON LLP

MOE KESHAVARZI, Cal. Bar No. 223759

mkesavarzi@sheppardmullin.com

GREGORY A. LONG, Cal. Bar No. 57642

glong@sheppardmullin.com

333 South Hope Street, 48th Floor

Los Angeles, California 90071

Tel: 213.620.1780, Fax: 213.620.1398

LAI L. YIP, Cal. Bar No. 258029

lyip@sheppardmullin.com

4 Embarcadero Center, 17th Fl., San Francisco, CA 94111

Tel: 415.434.9100, Fax: 415.434.3947

Attorneys for Defendants

BRAMSON, PLUTZIK, MAHLER & BIRKHAUSER, LLP

Alan R. Plutzik (SBN 77785)

Michael S. Strimling (SBN 96135)

Jenelle W. Welling, (SBN 209480)

2125 Oak Grove Road, Ste. 120, Walnut Creek, CA 94598

Tel: 925.945.0200, Fax: 925.945.8792

BAKER LAW PC

G. Richard Baker (SBN 224003)

524 Union St., #213, San Francisco, CA 94133

Tel: 415.295.4814, Fax: 800.886.6556

richard@bakerlawpc.com

MIANO LAW PC

Bert J. Miano (SBN 218934)

Post Office Box 59268, Birmingham, AL 35259

Tel: 205.714.7199, Fax: 205.714.7177

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

MARIA TORRES, GABRIEL ROJAS
and IAN KERNER, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

JC PENNEY CORPORATION, INC.;
and JC PENNEY COMPANY INC.,

Defendants.

Case No. 3:12-cv-01105-JST

**JOINT STIPULATION TO DISMISS
ENTIRE ACTION WITH
PREJUDICE; [PROPOSED]
ORDER**

Judge: Hon. Jon S. Tigar

Complaint Filed: March 5, 2012

1 Plaintiffs Maria Torres, Gabriel Rojas and Ian Kerner (collectively,
2 "Plaintiffs") and J.C. Penney Corporation, Inc. and J.C. Penney Company, Inc.
3 ("JCPenney"), by and through their respective counsel of record, all agree and
4 **HEREBY STIPULATE**, as follows:

5 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil
6 Procedure, the entire above-captioned action shall be dismissed with prejudice, all
7 parties to bear their own costs and attorneys' fees.
8

9 **IT IS SO STIPULATED.**

10 Dated: December 2, 2013 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
11

12 By

 HLP

13 MOE KESHAVARZI

14 Attorneys for Defendant

15 J. C. PENNEY CORPORATION, INC. and

16 J. C. PENNEY COMPANY, INC.

17 Dated: December 2, 2013 BRAMSON, PLUTZIK, MAHLER &
18 BIRKHAUSER, LLP

19 By

 ALAN PLUTZIK

20 Attorneys for Plaintiffs

21 MARIA TORRES, GABRIEL ROJAS, and

22 IAN KERNER
23
24
25
26
27
28

[PROPOSED] ORDER

Upon consideration of the foregoing stipulation by Plaintiffs Maria Torres, Gabriel Rojas and Ian Kerner, on the one hand, and J.C. Penney Corporation, Inc. and J.C. Penney Company, Inc., on the other hand, and good cause appearing therefor, this action is hereby dismissed in its entirety with prejudice and all parties are to bear their own costs and attorneys' fees.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2013

HON. JON S. TIGAR
UNITED STATES DISTRICT COURT JUDGE